

EXHIBIT D

JARED D. SCHUETTENHELM (SBN 267885)
jared.schuettenhelm@bracewell.com
BRACEWELL LLP
701 Fifth Avenue, Suite 6200
Seattle, Washington 98104-7018
+1.206.204.6200
+1.800.404.3970

Attorney for
KIOXIA AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE SUBPOENAS FROM OCEAN
SEMICONDUCTOR LLP

Case No. 5:22-mc-80014-SVK

**NOTICE OF WITHDRAWAL OF
MOTION TO QUASH**

On January 13, 2022, KIOXIA America, Inc. (“KAI”) filed eight motions to quash subpoenas in the miscellaneous actions captioned *KIOXIA America Inc. v. Ocean Semiconductor LLP* and bearing Miscellaneous Case Nos. 5:22-mc-80014 through 5:22-mc-80021. In addition, KAI filed an administrative motion in Miscellaneous Case No. 5:22-mc-80014 to relate all eight cases.

On January 17, 2021, in response to KAI’s motions to quash, Ocean Semiconductor LLP (“Ocean”) voluntarily withdrew all eight subpoenas by email notice to KAI’s undersigned counsel, thereby mooted the issues pending before the Court. As a result, KAI hereby voluntarily withdraws its motions to quash and seeks voluntary termination of Miscellaneous Case Nos. 5:22-mc-80014 through 5:22-mc-80021. KAI notes that its administrative motion to relate is mooted by this Notice of Withdrawal.

1 For the Court's convenience, KAI has attached a proposed order reflecting the voluntary
2 dismissal and termination of the actions.

3
4 Dated: January 18, 2022

Respectfully submitted,

5
6 BRACEWELL LLP

7 By: /s/ Jared D. Schuettenhelm
8 Jared Schuettenhelm (SBN 267885)
jared.schuettenhelm@bracewell.com
9 Bracewell LLP
701 Fifth Avenue, Suite 6200
10 Seattle, Washington 98104-7018
(206) 204-6200 (t)
11 (800) 404-3970 (f)
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I am employed in the City of Seattle, State of Washington. I am over the age of 18 years and not a party to this action. My business address is 701 Fifth Avenue, Ste. 6200, Seattle, WA 98104.

On January 18, 2022 I served the following documents described as:

- Kioxia America, Inc.'s Notice of Withdrawal of Motion to Quash
- [Proposed] Order Granting Withdrawal of Motion to Quash

on the interested parties in said action addressed as follows:

SEE ATTACHED SERVICE LIST

- ☐ By Mail: I am readily familiar with this firm's practice for causing documents to be served by U.S. Mail. Under that practice, documents are delivered to the USPS that same day with postage fully paid thereon.
- ☐ By facsimile: I caused said document to be transmitted by facsimile to each addressee set forth below on this date before 5:00 p.m.
- ☐ By FedEx delivery: I cause such envelope to be delivered via FedEx delivery to the party(ies) listed on the attached mailing list.
- × By e-mail delivery: Our office caused such documents to be delivered via e-mail to counsel.

Executed on January 18, 2022, at Seattle, Washington.

- × [Federal] I declare that I am employed in the office of a member of the bar of this Court at whose direction this service was made.

Signature: /s/ Andrea F. Kato
Andrea F. Kato

SERVICE LIST

Henrik Parker
Email: hparker@devlinlawfirm.com
Timothy Devlin
Email: tdevlin@devlinlawfirm.com
Alex Chan
Email: achan@devlinlawfirm.com
Joel Glazer
Email: jglazer@devlinlawfirm.com
Devlin Law Firm LLC
1526 Gilpin Avenue
Wilmington, DE 19806
302-449-9010
Fax: 302-353-4251

David H. Harper
Email: david.harper@haynesboone.com
Stephanie Sivinski
Email: stephanie.sivinski@haynesboone.com
David L. McCombs
Email: david.mccombs@haynesboone.com
Haynes & Boone, L.L.P.
2323 Victory Avenue, Suite 700
Dallas, TX 75219
(214) 651-5247
Fax: (214) 200-0463